

scanner including a light source for projecting a light from the scanner to the code to be scanned, an optical sensor for detecting the light reflected from the code and for generating an electrical signal in response to detecting the reflected light, and a microcontroller for decoding the electrical signal to decoded data. In addition, the scanner includes memory operatively coupled to the microcontroller for storing the decoded data and at least one identification code to identify a user of the scanner, the identification code being unique to the scanner and a user. The scanner further includes an infrared emitter operatively coupled to the microcontroller for transferring the identification code and the decoded data from the scanner by infrared communication.

The shopping system of claim 1 further discloses at least a first shopping kiosk for receiving the decoded data from the scanner including a processor and an infrared receiver, the infrared receiver being configured by an application program used by the processor to enable the infrared receiver to receive the identification code by infrared communication and, upon the processor recognizing the identification code, to establish a communications data link with the scanner such that the infrared emitter can transfer the decoded data to the infrared receiver.

The shopping system of claim 1 further discloses at least a first host computer operatively coupled to the first shopping kiosk, the first host computer and the first shopping kiosk being configured to enable a two-way communications link between the first host computer and the first shopping kiosk, the first host computer including a processor and a memory, the processor being configured with one or more application programs to receive the decoded data from the first shopping kiosk through the communications link and to identify information related to the decoded data, wherein in response to identifying the information related to the decoded data, the processor selects and retrieves stored information from the memory and transmits the received information to the first shopping kiosk through the communications link, and the first shopping kiosk provides the retrieved information in a useable format.

The Examiner indicates that claims 1-4, 6-17, and 19 are anticipated by Ortiz because Ortiz discloses a shopping system for scanning codes related to products and retrieving data associated with the codes. The Examiner further indicates that Ortiz discloses a "user profile

module 433,” and equates the “user profile module” with the “identification code” of the subject application.

Applicants respectfully submit that Ortiz does not disclose the “identification code” of claim 1. Ortiz discloses an optional “user profile module 433” that provides a user profile containing user preferences. The “user profile module” of Ortiz, however, does not uniquely identify the user or the scanner, but merely filters out unwanted coupons during hand held device synchronization with network-based coupon providers.

In contrast, Applicants respectfully submit that the “identification code” of claim 1 is integral to the operation of the shopping system in that the identification code is stored in the memory of the scanner itself, uniquely identifies the user or the scanner, and must be recognized by the first shopping kiosk prior to transmission of any decoded data. The processor of the first shopping kiosk receives the identification code first, and only transfers the decoded data from the scanner to the first shopping kiosk upon recognizing the identification code. In addition, the first shopping kiosk is configured to provide the transferred decoded data in a useable format in response to identifying the identification code.

Further, the processor of the first host computer is configured with one or more application programs to receive the identification code from the first shopping kiosk through the communications link, and to identify a user associated with the identification code.

Accordingly, claim 1 is patentably distinguishable over Ortiz, and the rejection of claim 1 under 35 U.S.C. 102(e) should be withdrawn.

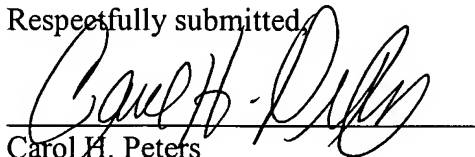
Claims 2-4, 6-17, and 19 depend from claim 1 and are patentable for at least the same reasons given above. The rejection of claims 2-4, 6-17, and 19 under 35 U.S.C. § 102(e) should be withdrawn.

#### Rejection of Claims 5, 18, and 20-26 Under 35 U.S.C. § 103(a)

Claims 5, 18, and 20-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ortiz. Applicants respectfully traverse the rejection of claims 5, 18, and 20-26 under 35 U.S.C. § 103(a). Claims 5, 18, and 20-26 depend from claim 1 and are patentable for at least the reasons given above with respect to claim 1. The rejection of claims 5, 18, and 20-26 under 35 U.S.C. § 103(a) should be withdrawn.

Based upon the foregoing discussion, the application is believed to be in condition for allowance, and a notice to this effect is respectfully requested. Should the Examiner have any questions concerning this response, the Examiner is invited to telephone the undersigned at the telephone number provided.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol H. Peters", written over a horizontal line.

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